



Title of meeting: Cabinet Member for Transport Decision Meeting

Date of meeting: 16 November 2023

Subject: TRO 232B/2023 St Barbara Way and TRO 242B/2023: Shearer Road & St Augustine Road- Disabled Persons Parking Places

Report by: Kerri Farnsworth, Interim Director of Regeneration

Report Author: Denise Bastow, Parking Office Manager

Wards affected: Hilsea, Fratton and Central Southsea

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1.** To consider the public response to the proposed disabled bays in St Barbara Way, Shearer Road and St Augustine Road, Portsmouth.

In this report, TRO means traffic regulation order.

Appendix A: The public proposal notices for TRO 232/2023 and TRO 242/2023

Appendix B: Public views submitted

Appendix C: Integrated Impact Assessment

Appendix D: Map of proposed and existing disabled bays

2. Recommendations

In relation to the proposal promoted under TROs 232B/2023 and 242B/2023, it is recommended that the Cabinet Member for Transport:

- 2.1 Approves the implementation of the Disabled Persons' Parking Bays in St Barbara Way (o/s block 26-36), Shearer Road (o/s 118) and St Augustine Road (o/s 207).**
- 2.2 Notes that the remainder of TRO 232/2023 came into operation under TRO 232A/2023 on 22 September and TRO 242/2023 will come into operation under TRO 242A/2023 on 20 November, due to no objections being received to those proposals. Therefore, any proposals approved following this report will be brought into operation under TROs 232B/2023 and 242B/2023.**



3. Background

3.1 Disabled parking bays are installed in residential areas to assist blue badge holders to park close to their homes and thereby reduce the distance they have to walk after parking their car. The bays are advertised following applications from individual blue badge holders. TROs 232/2023 and 242/2023 advertised the installation of 70 disabled parking bays at various locations across Portsmouth.

3.2 In order for a disabled parking bay to be considered, the applicant:

- has to hold a valid Blue Badge,
- have a vehicle registered to the address,
- must not have any usable off-street parking and;
- there should be pressure on parking in the area.

4. Consultation and notification

4.1 Statutory 21-day consultation and notification under TROs 232/2023 and 242/2023 took place between 14 July - 4 August 2023 and 14 August - 4 September 2023 respectively.

4.2 Under statutory consultation, statutory bodies (police, fire & rescue, utilities companies etc.) are directly consulted on the Council's formal proposals and the public has a right to object. The Council has a statutory obligation to consider any objections received (see paragraph 8.3 of this report), and any comments received are given due consideration. Appendix B contains the full text of the representations received in response to the proposal, but has been anonymised.

4.3 The legal requirement is to publish the proposal notice in a local newspaper - this notice was published in The News. The proposal notice was also published on the Council's website and yellow copies were displayed at affected locations.

5. Consultation response

5.1 Three representations were received, one objecting to the installation of the disabled bay in St Barbara Way, one objecting to the installation of the disabled bay in Shearer Road and one objecting to the installation of the disabled bay in St Augustine Road. The full content of the objections (anonymised) is in Appendix B of this report.

6. Reasons for recommendations

6.1 **St Barbara Way, Hilsea:** An application for a disabled bay was received from a blue badge holder who lives in one of six flats in St Barbara Way. The road is unrestricted except for double yellow lines at the entry into the road from Copnor Road and there are two other disabled bays, one in the far cul de sac end and one outside block 2-24,



these were installed for two other blue badge holding residents who have vehicles registered to their addresses.

- 6.2** The resident who has objected to the bay has explained that parking is at a premium and states that they are unaware of anyone having a blue badge in the block and suggesting that we are installing the bay to make up a quota.
- 6.3** The installation of a disabled bay in this location is to assist the resident who lives in the adjacent property, by reducing the distance they have to walk once they have parked their vehicle. The vehicle used by the blue badge holder will already be parking in the location, so in practical terms there is no loss of actual parking space.
- 6.4** Upon receipt of the objection, we responded to explain that the disabled bay was being proposed as a result of an application from a blue badge holder living in that location, however they confirmed that they still wished to proceed with the objection. It should also be noted that there was previously a disabled bay in that location which was removed in 2021, due to the bayholder no longer having a vehicle at their address. Disabled parking bays in residential locations are installed on receipt of an application from a blue badge holding resident and there are no quotas in terms of how many disabled bays that are installed.
- 6.5** **Shearer Road, Fratton:** An application for a disabled bay was received from a blue badge holder who lives in Shearer Road. There are two other disabled bays on the opposite side of the road, outside Nos 129 and 133, installed for two other blue badge holding residents who have vehicles registered to their addresses.
- 6.6** The resident objecting is concerned at the number of disabled parking bays in very close proximity to each other in a road that is not in a residents parking zone. They have explained that parking is difficult, especially on football match days, and that the area has two churches and four schools within the immediate residential area and have asked for the residents parking scheme to be progressed for this area. They also expressed concern at the gap between the two existing disabled bays outside 129 and 133 and suggest there is not sufficient distance between the bays to allow another vehicle to park. Reference was also made to paint markings placed on the kerb outside No 118, which they suggest means we have already decided to install a disabled parking bay in that location. They also expressed concern that another application for a disabled bay be made by another nearby property. Other questions were asked as to whether there is a cap on the number of disabled parking bays permitted in a residential area and have we ever declined to install a disabled parking bay as a result of objections.
- 6.7** As referred to in 6.6 above, there are two other disabled bays located in the same section of Shearer Road, however these were installed following applications by two other blue badge holding residents in Shearer Road and if the applicant was to park in one of these bays, then the other blue badge holders would not have use of them which could cause them difficulties.



- 6.8 Shearer Road is included in an area that will be formally consulted on for a residents parking scheme in the next few months.
- 6.9 The gap between the two existing disabled parking bays should be 5 metres, which is the distance we normally leave between disabled bays to ensure another vehicle can park in-between. However, upon measuring the distance between the 2 bays this is showing as less than 5 metres, we will therefore arrange for the existing bays to be moved and remarked to leave a usable parking space.
- 6.10 The paint markings on the kerb are put down as part of the process of considering the application, as we carry out a site visit to establish the potential location of the bay, prior to the bay being advertised on a legal order. However if the decision is made by the Cabinet Member for Transport to not install the bay, following consideration of the responses to the TRO consultation, then the bay would not be installed.
- 6.11 The applicant will already be parking in Shearer Road and in practical terms there is no loss of actual parking space. If an application is received from another nearby blue badge holder, then this would also be subject to formal consultation in the form of advertising a TRO and any objections received would be considered at a future meeting by the Cabinet Member for Transport.
- 6.12 There is no maximum number of disabled parking bays that are installed in residential locations. Each application is considered on an individual basis and if there is a suitable parking place to install a bay then it will be advertised on a TRO. We receive a small number of objections to disabled bays, as indicated by 70 bays being advertised on these two TROs and only 3 objections being received. Any objections to advertised disabled bays are considered by the Cabinet Member for Transport at a formal meeting and to date none have been refused, where they have met the criteria details in 3.2, but all objections were given full consideration.
- 6.13 **St Augustine Road, Central Southsea:** An application for a disabled bay was received from a blue badge holder who lives in St Augustine Road. There are eight other disabled bays in St Augustine Road, only one of which is in the immediate vicinity on the opposite side of the road, outside No 190, which was installed for a blue badge holding resident who has a vehicle registered to their address.
- 6.14 The resident is objecting on the grounds that the applicant has off-street parking to the rear of the property and believes that the person at the property is able-bodied as they do not use a wheelchair. They also suggest that the bay will take away another parking space for other resident permit holders to use and another blue badge holder who lives opposite would then apply for a disabled bay.
- 6.15 We are satisfied that the applicant does not have off-street parking at the property, this was confirmed by a personal visit to the property. There is rear access, but the applicant can only access their garden and does not have a garage or parking space. We are therefore satisfied that the criteria for both a blue badge and disabled bay to has been met.



- 6.16** The applicant without any off-street parking available to use, will be parking in St Augustine Road and in practical terms there is no loss of actual parking space. If the disabled bay is agreed to be installed and the blue badge holder who lives opposite applies for a disabled bay, then this would also be subject to formal consultation in the form of advertising a TRO and any objections received would be considered at a future meeting by the Cabinet Member for Transport.

7. Integrated impact assessment

- 7.1** An integrated impact assessment has been completed and is published alongside this report in Appendix C.

8. Legal implications

- 8.1** It is the duty of a local authority to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

(a) securing the expeditious movement of traffic on the authority's road network; and
(b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

- 8.2** Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.

- 8.3** A proposed TRO must be advertised and the statutory consultees notified and given a 3-week period (21 days) in which to register any support or objections. Members of the public also have a right to object during that period. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account any objections received from the public and/or the statutory consultees during the consultation period.

9. Director of Finance's comments

- 9.1** The costs of works to implement the disabled bays (including the TRO) will be met from the On-Street Parking budget.

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Signed by:

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Provision and Use of Disabled Badges and Bays Report	PCC website - Executive meeting - 21 February 2006

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

Appendix A: The public proposal notices for TRO 232/2023 and 242/2023**THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (DISABLED PERSONS PARKING PLACES) (NO. 232) ORDER 2023**

14 July 2023: Notice is hereby given that the Portsmouth City Council proposes to make the above Order. The effect of which would be:

A) DISABLED PERSONS' PARKING BAYS (MINIMUM 5-METRE LENGTH)

Only vehicles displaying a Blue Badge or relevant permit issued by the Council may park at these locations:

Agincourt Road (outside no. 71)	Balfour Road (outside no. 120)
Berney Road (outside no's 27-29)	Binstead Road (outside no. 71)
Chasewater Avenue (outside no. 25)	Chelmsford Road (outside no.8)
Compton Road (outside no. 78)	Connaught Road (outside no.10)
Domum Road (outside no. 1)	Gladys Avenue (outside no. 147-149)
Guildford Road (outside no. 47)	Harcourt Road (outside no. 17)
Jenkins Grove (outside no. 73)	Kensington Road (alongside no. 137 Hewett Road)
Milton Road (outside no. 98)	Montgomerie Road (outside no. 17)
Newbolt Road (outside no. 87)	Outram Road (outside Phoenix Court)
Phoenix Square (outside block 34-48)	Powerscourt Road (outside no. 314)
St Barbara Way (outside block 26-36)	Station Road (outside no. 98)
Sultan Road (alongside Barrington House)	Waverley Grove (alongside no.1)

B) REMOVAL OF DISABLED PERSONS' PARKING BAYS (NO LONGER REQUIRED)

Bath Road (outside no.100)	Catisfield Road (outside no. 67)
Chilcote Road (outside no.26)	Chilgrove Road (outside no. 30)
Ernest Road (alongside Ernest House)	Folkestone Road (outside no.3)
Mafeking Road (outside no. 103)	Meredith Road (alongside hairdressers, 116 Northern Parade)
Preston Road (outside no.43)	Shadwell Road (outside no. 88)
Walden Road (outside no.82)	Whitecliffe Avenue (outside no.30)

Copies of the draft Order and Statement of Reasons are available to view on Portsmouth City Council's website: Search "Traffic Regulation Orders 2023" at www.portsmouth.gov.uk. Alternatively, they can be viewed at the Civic Offices, Guildhall Square, PO1 2AL, Monday to Friday between 9am - 4pm. Printed copies can be obtained by calling 023 9268 8501.

Persons wishing to object to these proposals must do so by sending their representations to TROteam@portsmouthcc.gov.uk or by post to Traffic Regulation Orders, Parking Team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref TRO 232/2023 within 21 days of the date of this Notice (i.e. by **4 August 2023**) stating the grounds for the objection.

Under requirements of current access to information legislation, please note that all representations submitted in response to this Notice, may be made available for public inspection. Full details of the Council's [Data Protection privacy notice](#) can be viewed on the website.

Felicity Tidbury, Assistant Director of Regeneration (Transport)
Portsmouth City Council

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (DISABLED PERSONS PARKING PLACES) (NO. 242) ORDER 2023

14 August 2023: Notice is hereby given that the Portsmouth City Council proposes to make the above Order. The effect of which would be:

C) DISABLED PERSONS' PARKING BAYS (MINIMUM 5-METRE LENGTH)

Only vehicles displaying a Blue Badge or relevant permit issued by the Council may park at these locations:

Algiers Road (alongside 207a Tangier Road)	Battenburg Avenue (outside no. 51)
Baffins Road (outside no. 3)	Blakemere Crescent (outside no's 67-69)
Blendworth Road (outside no. 7)	Braintree Road (outside no. 40)
Bromyard Crescent (outside no. 34)	Chelsea Road (opposite no. 24b)
Chasewater Avenue (outside no. 49)	Chesterfield Road (outside no. 25)
Cobden Avenue (outside no. 15)	Daulston Road (outside no. 9)
Deerhurst Crescent (outside no. 106)	Dover Road (outside no. 32)
Farlington Road (outside no. 102)	Folkestone Road (outside no. 95)
Highgrove Road (outside no. 53)	Inverness Road (outside block 15-25)
Laburnum Grove (outside no. 126A)	Langstone Road (outside no. 108)
Ledbury Road (outside no. 7)	Leominster Road (outside no. 39)
Leominster Road (outside no. 135)	Leominster Road (outside no. 139)
London Road (outside no. 380)	Maidstone Crescent (outside no. 38)
Montgomerie Road (outside no. 54)	Paddington Road (outside no. 41)
Paulsgrove Road (outside no. 74)	Powerscourt Road (outside no. 178)
Prince Albert Road (outside no. 95)	Prince George Street (outside block 60-85 Pennant House)
Shadwell Road (outside no. 35)	Shearer Road (outside no. 118)
Shelford Road (outside no. 118)	Stamford Street (alongside no. 2 Trafalgar Mews)
Stamshaw Road (outside no. 166)	Station Road (outside no. 121)
Stone Street (outside block 7-12)	Strode Road (alongside Church)
St Augustine Road (outside no. 207)	The Circle (opposite no. 30)
Twyford Avenue (outside no. 270)	Wellington Street (outside no. 16)
Wesley Grove (outside no. 33)	Worthing Road (outside 22-29 Homelea Apts)

D) REMOVAL OF DISABLED PERSONS' PARKING BAYS (NO LONGER REQUIRED)

Chichester Road (outside no. 228)

Francis Avenue (alongside no. 41
Edmund Road)

Heathcote Road (alongside 247c Copnor Road) Laburnum Grove (outside no. 289)

Manor Park Avenue (outside no. 40)

Copies of the draft Order and Statement of Reasons are available to view on Portsmouth City Council's website: Search "Traffic Regulation Orders 2023" at www.portsmouth.gov.uk. Alternatively, they can be viewed at the Civic Offices, Guildhall Square, PO1 2AL, Monday to Friday between 9am - 4pm. Printed copies can be obtained by calling 023 9268 8501.

Persons wishing to object to these proposals must do so by sending their representations to TROteam@portsmouthcc.gov.uk or by post to Traffic Regulation Orders, Parking Team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref TRO 242/2023 within 21 days of the date of this Notice (i.e. by **10 September 2023**) stating the grounds for the objection.

Under requirements of current access to information legislation, please note that all representations submitted in response to this Notice, may be made available for public inspection. Full details of the Council's [Data Protection privacy notice](#) can be viewed on the website.

Felicity Tidbury, Assistant Director of Regeneration (Transport)
Portsmouth City Council

Appendix B: Public Views

<p>St Barbara Way Objection to proposed Disabled Bay</p> <p>Resident, St Barbara Way Good Afternoon,</p> <p>I am writing this email to lodge my strong objections to the notice of a planned disabled parking bay outside block 26-36 St Barbara's Way. Parking is already at a premium outside my block and the proposal for a parking bay there when no-one in the block that I am aware of has a blue badge is wrong as I am assuming it is just to make up a quota you might have.</p>
<p>Shearer Road Objection to proposed Disabled Bay</p> <p>Resident, Shearer Road</p> <p>Objection to proposed disabled parking bay outside 118 Shearer Road, PO1 5LR.</p> <p>Reason for objection: too many disabled parking bays in very close proximity to each other in an un-permitted road.</p> <p>Shearer Road and the surrounding roads (Ernest Rd, Shakespear Rd etc.) are not in a residential parking zone. The Shearer Rd area was surveyed by the council in March 2022, and the results showed that there is a parking problem particularly in the evenings and overnight, and that a parking zone would be supported by residents. However, since the survey nothing has been done. I emailed the TRO team in April 2023 and the reply I received said that the plan is to continue consultations at the end of 2023 or beginning of 2024.</p> <p>I have also emailed my local councillors in June 2023, who could not update me on what would be happening regarding parking zones, but they would forward my email to the Transport Cabinet member, Gerald Vernon-Jackson, who has not replied.</p> <p>Parking is very difficult on Shearer Rd and the surrounding roads. It is made worse when Portsmouth FC have home games on, as this is possibly one of the closest areas to Fratton Park without parking restrictions or having to pay for parking. The residential areas near Fratton Park have residents parking zone, like zone GA.</p> <p>There are also two churches (St Mary's Church and Salem Baptist Church), four schools (Portsmouth Academy, Manor Infants, Newbridge, and Madani Academy) within this built-up residential area. At the top of Shearer Rd with its junction with New Road, the former furniture shop Marriots is being converted into I believe 7 houses, none of which have parking. Shearer Rd will be the nearest place to park.</p> <p>There are already two disabled parking bays installed very near to 118 Shearer Rd. One outside 129 and one outside 133.</p> <p>Due to how the road is, 118 is opposite 127 which is adjoining 129.</p>

Due to how the disabled parking bays outside 129 and 133 have been painted, there is a small gap between them outside 131. However, this gap is too small for even a small car to park in. I have mentioned this in the parking survey and the email to the local councillors that if these two bays were re-painted slightly further apart it would create a usable space for residents.

129 has two cars, in a one person household, and uses the too small gap to swap over their cars to ensure they always have the space in front of “their” disabled bay. This has been going on for a least a decade, you can tell this as the patch of road there looks very different to the rest of the road due to always having a car parked there, and being curious about the road and what it looked like in the past I viewed the road on google timeline. It’s the same two cars being swapped constantly. It does feel that some residents have a monopoly on parking on this stretch of road – especially as numbers (approx.) 153-133 (odds only) have access at the rear of their properties where I believe some do leave their cars, but most do not.

I believe there may also be the possibility of a request of a disabled parking bay from 124. The property has been undergoing extensive renovations to adapt it to a disabled resident. Again, this will just add pressure and create odd too small spaces in the road.

A big problem is multiple car households. I see on a daily basis other residents parking so as to take up two spaces in the road to save a space for another car in their household. Some residents leave bins and cones in the road to save themselves a space. One neighbour has 5 cars. There are also large works vans frequently parked here as well as cars that do not move for months. I currently have a car outside my house which I have never seen before that has just appeared 2 months ago and has never moved or had anyone go to it.

I feel that having another disabled parking bay on such a small stretch of road is unreasonable. It will create more parking issues.

I also object that white paint lines have been painted on the curb outside 118 as if to mark out a potential disabled parking bay already. These marks appeared around 14th July 2023, way before the TRO and the chance to object was published. It does feel the council have already decided to install a disabled parking bay there.

Whilst I agree that a parking bay at anyone’s doorstep would make their life easier – it will make others’ lives harder, especially as parking is already difficult in this area. Personally, I feel stressed and anxious at the thought of parking on my road. I hate having to drive, I try to reduce the number of times I go out with my car. I am in a one car household.

I ask the council:

- Does the council have a cap on the amount of disabled parking bays permitted in a residential area?
- Has the council ever declined to install a disabled parking bay in a residential area due to other residents’ objections?



- What is the current agenda with residents parking zones? As there appears to be no activity on this in the whole of the city since the Shearer Rd survey in March 2022.

Please before another disabled parking bay is considered in this area of Shearer Rd

- Re-paint the disabled parking bays outside 129 and 133 to create a useable parking space. By re-painting them just slightly further apart it will ease some parking pressure.
- Install a residential parking zone for this area in order to reduce the number of cars in multiple car households and traffic from football supporters attending matches.

St Augustine Road

Objection to proposed Disabled Parking Bay

Resident, St Augustine Road

I wish to object to the proposed disabled parking bay outside 207 St Augustine Rd, Southsea, PO4 9AB. On the grounds that the property has off Rd parking to the rear of the property.

This disabled bay will takeaway another parking space from, the residents on the opposite side of Rd who do not benefit from off Rd parking on their properties and have to pay for parking permits.

The person who lives at the property does not use a wheelchair, (has never been seen using one) and is quite able-bodied, so should be able to use the rear of property for parking.

I feel if this is given permission then the person who lives opposite (also blue badge owner) will then seek permission for a disabled space. Thus reducing more spaces.